

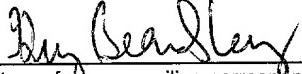
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yoshiyuki Nagai et al. Art Unit : Not yet Assigned
Serial No. : Not yet Assigned Examiner : Not yet Assigned
Filed : December 1, 2000
Title : RECOMBINANT SENDAI VIRUS

Assistant Commissioner for Patents
Washington, DC 20231

PRELIMINARY AMENDMENT

In response to the Office Action mailed March 18, 1999, kindly amend the application as follows.

In the specification:

On page 1, line 2, please insert --Priority Information

The present application is a Continuation of co-pending U.S. Serial No. 09/071,591, filed May 1, 1998, which claims priority to PCT/JP96/03069, filed October 22, 1996, which claims priority to Japanese application JP 7/285417, filed on November 1, 1995.--

In the claims:

Please amend claims 2-10, 12 and 13 as follows.

2. (Amended) The recombinant Sendai virus of [Claim 1 in which] claim 1,

wherein one or more than one gene encoding viral functional proteins [are] is altered.

3. (Amended) The recombinant Sendai virus of [Claims 1 or 2 carrying] claim 2,

wherein the recombinant Sendai virus carries a foreign gene capable of being expressed

in hosts.

4. (Amended) An RNA molecule comprising RNA contained in the recombinant

Sendai virus of [any one of Claims 1-3] claim 1.

5. (Amended) An RNA molecule comprising cRNAs of RNAs contained in the

recombinant Sendai virus of [any one of Claims 1-3] claim 1.

6. (Amended) A kit comprising

a. a DNA molecule containing a template cDNA capable of transcribing

RNA of [Claims] claim 4 or 5, and

b. a unit capable of transcribing said RNA [of claims 4 or 5] with said DNA as template *in vitro* or intracellularly.

7. (Amended) A kit comprising

a. a host expressing the NP, P and L proteins of Sendai virus [(each protein may be replaced with a protein of an equivalent activity)], or a protein of an equivalent activity to said NP, P/C or L proteins, and

b. the RNA molecule of [Claims] claim 4 or 5.

8. (Amended) A method for producing the recombinant Sendai virus of [any one of Claims 1-3] claim 1, comprising transfected RNA of Claims 4 or 5 to a host [expressing] wherein the host expresses the NP, P/C and L proteins of Sendai virus [(each protein may be replaced with a protein of an equivalent activity)], or a protein of an equivalent activity to said NP, P/C or L proteins.

9. (Amended) A kit consisting of the following three components,

a. a host expressing the NP, P/C and L proteins of Sendai virus[,];
b. a DNA molecule containing a template cDNA capable of transcribing RNA or cRNA of [any one of Claims] claim 4 or 5[,]; and
c. a unit capable of transcribing said RNA [of Claims 4 or 5] with said

DNA as template *in vitro* or intracellularly.

10. (Amended) A method for producing the recombinant Sendai virus of [any one of Claims 1-3] claim 1, wherein said method comprises introducing a DNA molecule containing a template cDNA capable of transcribing RNA of [Claims] claim 4 or 5, and a unit capable of transcribing said RNA [of Claims 4 or 5] with said DNA as template *in vitro* or intracellularly into a host expressing the NP, P/C and L proteins of Sendai virus.

12. (Amended) A culture medium or allantoic fluid containing [the] expressed foreign proteins obtainable by transfecting the recombinant Sendai virus of [Claim 3] claim 3 to a host and recovering said culture medium or allantoic fluid.

13. (Amended) A DNA molecule for expressing a protein encoded by a foreign DNA integrated into a Sendai virus vector DNA, said foreign gene integrated into a Sendai virus vector comprising said foreign gene inserted downstream of a promoter in an [(antisense)] antisense orientation for the transcription of antisense RNA encoding said protein and said promoter.

REMARKS

The specification has been amended to contain a specific reference to the prior U.S. Application and the prior PCT application as required by 37 CFR 1.78, to obtain 120 benefit. Please charge any fees that may be required to our Deposit Account No.03-2095.

Respectfully submitted,

Date: December 1, 2002

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